

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM

Attachment 7.2-A

State North Carolina

NONDISCRIMINATION

The State plan assuring compliance with Title VI of the Civil Rights Act of 1964 is on file in the Regional Office of the Department of Health, Education, and Welfare.

1226-73

A749-74

73-45

12-21-73

486 10-1-73

North Carolina Department of Human Resources
Division of Social Services

Methods of Administration
For
Title VI Compliance
of the
Civil Rights Act of 1964

Name of Program: MEDICAL ASSISTANCE (TITLE XIX MEDICAID)

I. Assignment of Responsibility

- A. Over all coordinating responsibility for the Department of Human Resources
Mr. Harold Maness, Director of Plans and Programs
- B. Title VI Compliance in nursing homes and hospitals
Mr. John A. McCann, Civil Rights Coordinator, Division of Facility Services
- C. Title VI reviews of physicians, drug stores, and other vendors
Assistant Chief of Practitioner Services, Medical Services Section of the Division of Social Services. The Assistant Chief of Practitioner Services consults with Mr. James E. Coats, Civil Rights Coordinator for the Division of Social Services

II. Dissemination of Information

A. Staff

All staff are provided copies of the North Carolina Department of Human Resources Title VI policy statement. In addition, staff is briefed on the Division of Social Services plan and the Title XIX Methods of Administration. This information includes departmental and division responsibilities, vendor responsibilities, staff responsibilities, the dissemination of information procedures, clients rights to services, procedure for clients filing of complaints, methods of handling of complaints, and procedures for handling instances of non-compliance. This information is provided at the first in-service orientation for staff. Thereafter, it is discussed infrequently at staff meetings and supervisory conferences.

The information provided to staff is being developed and copies will be forwarded the Region IV Office for Civil Rights. The information will contain the meaning of Title VI with examples of what to look for in observing compliance or non-compliance.

Rec'd 12/24/73 73-45 12/21/73
A/1/19/74 eff 10/1/73

Obsolescence

B. Vendors

All vendors are advised of Title VI requirements at the time of admission to the program. Each vendor receives semi-annual visits from Medical Services staff at which time they are reminded of Title VI requirements. Vouchers contain a compliance agreement.

Copies of Title VI information sent to vendors is being drafted and will be forwarded to the Region IV Office for Civil Rights. This information is mailed to all vendors and is reviewed by the Provider Representative upon an on-site visit.

C. Clients and Applicants

The responsibility for giving Title VI information to clients and applicants is delegated to county department of social services intake workers, eligibility specialists, and social workers. Clients and applicants are advised that if they feel they are the subject of discrimination, they may receive an administrative hearing at the county level, or they may request a formal hearing from a state staff appeals and hearings officer. If they wish to file a written complaint of discrimination, forms are provided at the county level. They may call the complaint in on the Department of Human Resources "Hotline" or they may write to the state office or to the Regional or National Department of Health, Education, and Welfare. When this information has been provided, a notation to that effect is entered in the clients record. The client and/or applicant is given a booklet of program information which includes Title VI information. There is no scheduled periodic reissuance of this information. When client-worker conferences reveal dissatisfaction, the client is reminded of rights under Title VI.

D. Public

Booklets which contain information in reference to services available to clients and applicants are available in lobbys and waiting rooms of county departments of social services. These booklets contain a Title VI statement. The Division of Social Services issues a statement of non-discrimination news release to all news media. Social Services staff are advised to mention Title VI policy when meeting with community groups and making presentations.

III. Maintaining and Assuring Compliance

A. Reviews of Hospitals and Nursing Homes

The Division of Facility Services has six staff persons to review these facilities via annual on-site visits. These reviews include information as to the following:

The service area and population by race

Principal administrator

Licensed bed capacity

Number of rooms: private, semi-private and wards

Room occupancy inspection (patient count)

Physicians and dentists in the service area with racial breakdown

Staff privileges by race

Courtesy titles

Training programs with minority participation

Title VI and open admissions information

Patient (room transfers)

Board chairman and racial makeup of boards

73-45 12/21/73
A 7/19/74 286 10/1/73

Title VI Compliance clearance is required prior to issuance or re-issuance of a provider number. Since this is a vital area, Mr. John A. McCann, Civil Rights Coordinator, is required to review the annual on-site reports and sign off regarding Title VI.

1) Exchange of Compliance Information

The Division of Facility Services provides a listing of facilities certified for Title VI clearance. This listing is provided to Social Services at the county and state level and is updated with supplements as facilities are added or deleted. The complete list is published annually. When a facility applies for admission to the program, Mr. John A. McCann, Civil Rights Coordinator for the Division of Facility Services, is immediately notified. While licensing requirements are being inspected, Mr. McCann consults on Title VI requirements.

- 2) Files regarding these facilities are maintained in the Division of Facility Services. These files are available for review by Division of Social Services staff and the Office for Civil Rights.

3) Resolving areas of non-compliance

When non-compliance has been determined, the Director of the Division of Facility Services will send a certified letter to the Administrator of the facility noting the areas of non-compliance. The letter gives the facility a stated period of time in which to correct its discrepancy or face suspension from the program. The notification includes the right of appeal and a hearing before the Director of the Division of Facility Services, or an appointed hearings officer. The Secretary of the Department of Human Resources will review the findings of the hearing and will render a decision in the matter of non-compliance.

B. Other Vendors

1) Responsibility

The Division of Social Services has compliance responsibility for all vendors having "provider numbers". Mr. Emmett Sellers, Chief of the Medical Services Section has responsibility for determining that payments are not made to individual vendors in violation of Title VI.

2) On-Site Inspections

All individual vendors receive semi-annual on-site program maintenance visits. These are not called civil rights inspections. Areas of compliance are noted but unless there is an evidence of non-compliance there is no report filed. Medical Services staff observe waiting rooms, courtesy titles, appointment patterns, and the seeing of patients in the order of their arrival. One person, a Provider Representative makes the on-site inspection. The attached form, Title VI Monitoring Report is completed annually and is maintained in the Medical Services Section for review by Medical Services staff and the Office for Civil Rights.

V. Handling Complaints

All complaints are filed through the Office of the Director of Plans and Programs of the Department of Human Resources who assigns them to the appropriate division. The complainant is immediately notified of the receipt of his complaint. The complainant receives a personal visit in which he is helped to amplify his complaint and present any evidence he may have. The facility or vendor is contacted in reference to the complaint. A report is

written which includes all aspects of the information obtained. Wherein necessity dictates, community residents and/or others may be contacted in order to ascertain the extent of the problem. The complainant as well as the accused is notified of the results of the investigation. The complainant is informed of his rights and options for pursuing the matter further if he so desires.

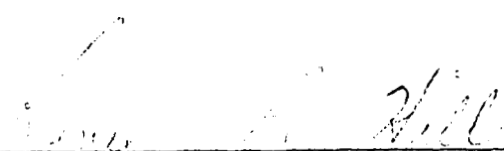
When a complaint is filed against an individual provider, Mr. James E. Coats, Civil Rights Coordinator for the Division of Social Services, coordinates and participates in all investigations jointly with Medical Services personnel. When a violation is determined to exist, the Director of the Division of Social Services will, by certified mail, notify the offender of the areas of non-compliance. A stated period of time is allowed to correct deficiencies or face suspension from the program. The offender is also informed of his right to a hearing with the Director or an appointed hearings officer.

When a complaint is filed against a facility, Mr. John A. McCann, Civil Rights Coordinator for the Division of Facility Services, will coordinate and participate in all investigations. When a violation is determined to exist, the Director of the Division of Facility Services will notify the offender within the same conditions as described above.

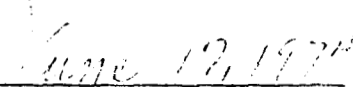
The Secretary of the Department of Human Resources will review the findings of the hearing and will render a final decision in the matter of non-compliance.

RECRUITMENT AND TRAINING

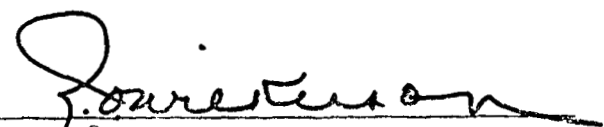
- A. All persons are employed from a State Merit System Register. Placements on the register are in accordance with test grades.
- B. Training for the specific job is a requirement for all employees, and is so stated at the time of employment. All employees receive the same training through orientation and supervision regardless of race, color, or national origin. "All applicants and all staff are advised of the availability of training."



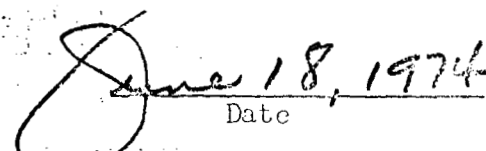
Signature of Responsible
Departmental Official
Director, Division of Social Services



Date



Concurrence
Director, Division of Facility Services



Date

Rec'd 12/26/73 73-45 12/21/73
A/14/74 266 10/1/73

12/24/73 73-45 12/21/73
7/19/74 eff 10/1/75
Completed by

TITLE VI
MONITORING REPORT

Name of Provider _____ Date of Visit _____
Address _____ Monitor's Name _____
City _____ State _____ Monitor's Title _____

Information Desired:

1. The use of signs:

2. Dual Facilities:

3. The Provider's policy with respect to the order of seeing patients:

____ Appointments Only
____ Walk-in Only
____ Appointments and Walk-in
____ Procedure for logging walk-in patients? _____

Comments: _____

4. Does the Provider have a policy regarding the use of courtesy titles?

ADDITIONAL COMMENTS: _____

